

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MONARCH FIRE PROTECTION DISTRICT )  
OF ST. LOUIS COUNTY, MISSOURI )

Plaintiff, )

vs. )

FREEDOM CONSULTING & AUDITING )  
SERVICES, INC., et al., )

Defendants. )

Case No. 4:08CV01424 ERW

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff's Motion for Extension of Time to Complete Mediation and for Clarification of Mediation Obligations [doc. #89]. In this Motion, Plaintiff asks that the parties be granted until October 30, 2009 to schedule and complete mediation. The Court finds that granting the requested extension is appropriate.

Additionally, Plaintiff asks for guidance on who must attend the mediation under Local Rule 16-6.02. Plaintiff asks whether a quorum of Plaintiff's Board of Directors must be present at the mediation, or if the presence of the President of its Board of Directors is sufficient. Plaintiff is a governmental entity. The Local Rules state that the attendance requirement is satisfied if the government entity is "represented by a person who has authority to settle, and who is knowledgeable about the facts of the case, the government unit's position, and the procedures and policies under which the governmental unit decides whether to accept proposed settlements." Local Rule 16-6.02(B)(1)(ii). The Court finds that this requirement could certainly be satisfied by just the presence of the President of the Board of Directors. Interpreting this rule to require a


quorum of the Board of Directors would be “impractical, unduly burdensome and unnecessary.”

*United States v. City of Garland, Texas*, 124 F.Supp.2d 442, 444 (N.D. Tex. 2000).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s Motion for Extension of Time to Complete Mediation and for Clarification of Mediation Obligations [doc. #89] is **GRANTED**. The reference to ADR shall terminate on October 30, 2009, or as otherwise ordered.

Dated this 28th Day of August, 2009.

  
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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE